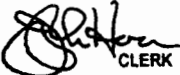


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED

OCT 27 2015


CLERK

UNITED STATES OF AMERICA,

CR15-40051

Plaintiff,

vs.

AMENDED

FACTUAL BASIS STATEMENT

JOSE JOAQUIN OXLAJ,

Defendant.

The undersigned parties stipulate that the following facts are true and establish a factual basis for the plea in the action pursuant to Federal Rules of Criminal Procedure 11(b)(3):


On April 9, 2015, in Sioux Falls, South Dakota, Jose Joaquin Oxlaj, the Defendant, responded to an advertisement he accessed on the internet social media website known as Skout. Using his Samsung cell phone that had internet access, Oxlaj sent a number of electronic text messages in an attempt to entice a female individual he knew was 15 years old, to engage in sexual contact with him in exchange for money. Oxlaj also initiated the transmission of the name and telephone number of the minor in his text messages. Oxlaj was 26 years of age at the time of the transmissions.

In accordance with the facts described above, sexual contact with a minor is a sexual activity for which Oxlaj could have been charged with under


South Dakota law, namely, S.D.C.L. §§ 22-22-7 and 22-4-1. All of this occurred in violation of 18 U.S.C. § 2425.

RANDOLPH J. SEILER
UNITED STATES ATTORNEY


October 27, 2015
Date


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10/27/15
Date


Jose Joaquin Oxlaj
Defendant

10/27/15
Date


Michael J. Butler
Attorney for Defendant